

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
SECURITIES AND EXCHANGE COMMISSION, :
: :
Plaintiff, :
: :
- v. - : 19 Civ. 5998 (WHP)
: :
JASON SUGARMAN, :
: :
Defendant. :
----- x

**STIPULATION AND ORDER GOVERNING PRESERVATION OF
DOCUMENTS AND CONDUCT OF ANTICIPATED DISCOVERY**

WHEREAS, on August 13, 2019, the Court entered an Order staying discovery in this action pending entry of judgments in the parallel criminal action, United States v. Jason Galanis, 16 Cr. 371 (RA) (S.D.N.Y.), or the charges against Defendants Archer and Morton are dismissed (Doc. 25 at 2) (the “Stay Order”);

WHEREAS, notwithstanding the stay of discovery, the Stay Order permits the Plaintiff, Securities and Exchange Commission (“Commission”), to seek to preserve documents in the possession of third parties (Doc. 25 at 2);

WHEREAS, Camden Capital Partners and Camden Real Estate Opportunity Fund I (collectively the “Camden Entities”) are non-party entities that may maintain documents that the Commission contends are relevant to this action;

WHEREAS, the Commission and the Camden Entities have an interest in ensuring that all anticipated discovery concerning the Camden Entities will be conducted in an efficient and economical manner that is proportional to the needs of the case and reasonably limited to avoid imposing undue burden or expense on the Camden Entities.

NOW, THEREFORE, the Camden Entities and the Commission, through its attorneys, hereby stipulate and agree:

1. During such time as the Stay Order is in effect, the Camden Entities will act in good faith to preserve all documents¹ in its possession that contain the search terms (the "Preservation Terms"), attached hereto in Exhibit A.
2. The parties agree that the Camden Entities' maintenance of documents containing the Preservation Terms is not an agreement that such documents are relevant or would be within the scope of a reasonable Rule 45 subpoena in this matter. Rather, the parties expressly agree to reserve all rights concerning the appropriate scope of any subpoena issued by the Commission.
3. Following the end of the Stay Order, the Commission will act in good faith and, in accordance with the applicable rules of civil procedure, will request from the Camden Entities only those documents that are relevant and proportional to the needs of the case. Likewise, the Commission will take reasonable steps to avoid imposing undue burden or expense on the Camden Entities.
4. Should there come a time during the period when the Stay Order is in effect when the Camden Entities wish to relieve themselves of the obligation to maintain Documents under this Stipulation and Order, it shall provide Commission counsel three weeks' notice of its intention to seek such relief and the grounds therefore prior to petitioning the Court for such relief.

¹ For the avoidance of doubt, the term "document" as used in this stipulation includes all electronically stored information with respect to any document, as that term is used in Fed. R. Civ. P. 37(e), and the obligation to preserve documents means an obligation to preserve documents in the original format(s) in which they are created, managed, and stored in the ordinary course of business.

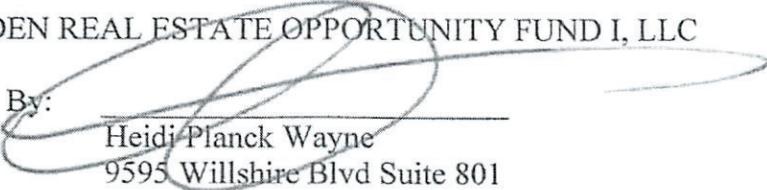
5. Heidi Planck Wayne is entering into this stipulation as the Managing Member of Camden Capital Partners, LLC, and with the knowledge and consent of all other individual(s) or entity(ies) that have authority to make decisions on behalf of Camden Capital Partners, LLC.

Dated: New York, New York

November __, 2019

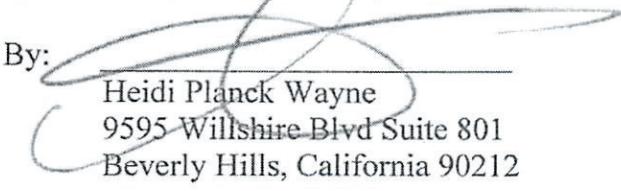
October 9, 2019

CAMDEN REAL ESTATE OPPORTUNITY FUND I, LLC

By: 

Heidi Planck Wayne
9595 Willshire Blvd Suite 801
Beverly Hills, California 90212

CAMDEN CAPITAL PARTNERS, LLC

By: 

Heidi Planck Wayne
9595 Willshire Blvd Suite 801
Beverly Hills, California 90212

SECURITIES AND EXCHANGE COMMISSION

By: 

Tejal D. Shah
200 Vesey Street, Suite 400
New York, New York 10281
212-336-0121

Attorneys for Plaintiff

SO ORDERED:

UNITED STATES DISTRICT JUDGE

Exhibit A

1920 Bel Air LLC
administration@bbfund-admin.com
Appleby
Atlantic Asset Management LLC
Ballybunion Captain UK Focus Growth
Ballybunion Captain UK Focus Growth Fund
BAM Holdings, LLC
Bermuda International Insurance Services Limited (“BIISL”)
BFG Socially Responsible Investing Ltd.
Blatt & Dauman
BOE Capital LLC
Bon Aire LLC
Bonwick Capital Partners LLC
Brian Quinn
Bump Networks
Burnham Asset Management Corporation
Burnham Financial Group
Burnham Securities Inc.
Calvert Capital Partners G.P.
Catalyst
Century Investments
Century Investments LP
CKR Law LLP
Code Rebel Corporation
Colaris Ventures
COR Capital, Inc.
COR Capital, LLC
COR Clearing
Cor Financial Holdings (HK)
COR Financial Holdings (HK), Ltd.
COR Fund Advisors, LLC
COR International
COR Securities Holdings Inc.
Dan White Trust Account
Daniel D. White
David Ezekiel
Dilworth Paxson LLP
Edward Czuker
EGS LLC
Fondinvest Capital

Forces Vives
Fulton & Meyer
Fulton & Meyer LLC
George Baker
Gerova
GMT Duncan LLC
Haynes Investments, LLC
Hughes Capital Management LLC
Insurance Company of the Americas (“ICA”)
Inversiones Balesia
Isaac Capital Group
Ken Hobbs
Kyle Wool
Luxury Asset Lending
M. Bloom Development Corp.
Mark Waddington
Olshan Frome Wolosky LLP
Palazzo de Cielo Trust
Private Equity Management Ltd.
Prospect Global Resources Inc.
Rosemary & Rue LLC
Rosemont Capital Management LLC
Rosemont Seneca Bohai LLC
Rosemont Seneca Partners
RSB LLC
Samuel Buxton
Seymour Capital
Sovereign Nations Development Corp.
Steve Horowitz
The Clifford Wolff Law Firm
Thorsdale Fiduciary & Guaranty Co. Ltd.
Threat Deterrence Capital
Thunder Valley Engineering
Valor Group, Ltd.
Valorlife Lebensversicherungs AG
VL Assurance (Bermuda) Ltd.
Wakpamni Lake Community Corp.
Wealth Assurance Holdings Ltd.
Wealth Assurance Holdings Ltd. (NV)
Wealth Assurance Private Client Corp.
Wealth-Assurance AG